

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

Plaintiff,

CHARMMORRO VIJAY STROTHERS,

Defendant.

Case No. 1:24-CR-2006-SAB-1

CRIMINAL MINUTES

DATE: SEPTEMBER 3, 2024

LOCATION: YAKIMA, WA

SENTENCING HEARING

CHIEF JUDGE STANLEY A. BASTIAN			
Michelle Fox Courtroom Deputy	02 Law Clerk		Marilynn McMartin Court Reporter
Benjamin Seal Government Counsel			Paul Shelton Defense Counsel
United States Probation Officer: Sean Carter – by telephone			

Open Court

Chambers

Telecon/Video

Defendant present and in custody of the US Marshal.

Court addresses counsel regarding names of victims. Will use initials and not full names.

Court outlines the case. Defendant pled guilty. Court summarizes maximum penalties and guidelines. Court has reviewed all of the materials submitted and presentence report. Court has reviewed the presentence report. 16, II, 24-30 months.

Court asks if there are any objections. P. Shelton indicates that defendant has not made any objections. The government did file an order however do not believe the guideline range will change.

B. Seal presents argument on 2 level enhancement but agree it will not change the guideline range.

Court reviews the presentence report. 18.

B. Seal presents argument on which guideline to use.

Court deny motion because it does not change the range however believe it was a sophisticated scheme.

ORDER FORTHCOMING

CONVENED: 1:30 P.M.	ADJOURNED: 2:16 P.M.	TIME: 46 MIN.	CALENDARED	<input checked="" type="checkbox"/>
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USA v. C. Strothers
1:24-CR-2006-SAB-1
Sentencing Hearing

September 3, 2024
Page 2

B. Seal presents argument and outlines recommendations. High end. Restitution discussed.

C.Z. speaks to the Court.

J.D. speaks to the Court.

P. Shelton presents argument and outlines recommendations. 15 months. Restitution: \$86,945.77.

Court indicates that the restitution outlined is \$85,945.77. Counsel agree this is the correct amount.

Court asks a question to Probation. S. Carter addresses the Court. P. Shelton responds.

Court speaks to the defendant.

Defendant speaks to the Court.

Court speaks to the defendant. Court outlines the 3553 factors.

Imprisonment: 30 months. Credit for time served.

Supervised Release: 3 years. With all the standard conditions and the following special conditions:

1. You must provide the supervising officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office. You must disclose all assets and liabilities to the supervising officer. You must not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer.

2. You must not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.

3. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

4. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.

5. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Court asks if defendant agrees to all conditions and does he waive the reading of the conditions.

P. Shelton indicates defendant waives reading the conditions.

SPA: \$100.00.

Fine: Waived.

USA v. C. Strothers
1:24-CR-2006-SAB-1
Sentencing Hearing

September 3, 2024
Page 3

Restitution: \$85,945.77.

P. Shelton asks to recommend FCI Jesup for purposes of family visitation. Court will recommend FCI Jesup.

Court speaks to the victims and defendant.

Waiver of Right to Appeal addressed.

P. Shelton asks the government to motion the Court to dismiss count. Asks to add a specific date for credit to August 18, 2023.

Court will add to the judgment.

B. Seal moves to dismiss remaining count. Court dismisses count.